

Remarks

Claims 1-20 are pending in the application and the same are rejected. Claims 1-20 remain in the application and are presented for review and further consideration by the Examiner.

The Examiner has rejected claims 1-20 under 35 U.S.C. §102(e) as being anticipated by McCurdy et al., U.S. Patent Application Publication No. US 2002/0035697. (Examiner's Action, page 2, ¶ 3).

Applicants respectfully disagree.

McCurdy discloses a system and method for distributing and viewing electronic documents. A reader 78 receives a magazine from system 50 and records usage data relative to the magazine. When the reader 78 next interacts with system 50, the usage data is transmitted to a magazine usage service 74.

Although McCurdy does disclose that physical access to the system 50 may be regulated, McCurdy discloses doing so only by requiring login ID's and passwords or by using biometric security devices for authentication and/or identification. It is well known that login ID's, passwords, and biometric security devices only identify a user of a device. They do not uniquely identify the device itself. Any number of users may log in to a device or be authorized to use a device. Therefore, the device is not uniquely identified by the login ID, password, or biometric information of the user of the device.

Applicants' specification clearly states that the recorded unique device identification is an identification indicia for a device. Since McCurdy does not disclose an identification indicia for a device, McCurdy does not disclose a recorded unique device identification.

Furthermore, as is apparent from the wording, "unique device identification," the device must be uniquely identified. Since McCurdy does not disclose a way to uniquely identify a device, McCurdy does not disclose a recorded unique device identification.

Since McCurdy does not disclose a recorded device identification, McCurdy cannot disclose: "reading, from an input record, a recorded unique

device identification and recorded device data for a device"; "searching an index for an enduring unique device identification matching the recorded unique device identification"; "an input record for a device, the input record having a recorded unique device identification and recorded device data"; "a record reader configured to read, from the input record, the recorded unique device identification and the recorded device data for the device"; or "an inspector configured to search the index for one of the enduring unique device identifications matching the recorded unique device identification".

Additionally, while McCurdy does disclose requiring user identification, it does not disclose reading an identification from an input record. McCurdy does not even disclose any input record, or usage data, with an identification that may be read. Nothing in McCurdy suggests that the usage data has an identification which is read. In fact, McCurdy suggests just the opposite by stating that in at least one embodiment of the invention the reader does not record personally identifiable information as part of the magazine usage data. Therefore, McCurdy does not disclose: "reading, from an input record, a recorded unique device identification"; an "input record having a recorded unique device identification and recorded device data"; or "a record reader configured to read, from the input record, the recorded unique device identification and the recorded device data for the device".

In contrast, Applicants' independent claims 1 and 15 include the limitations, reading a recorded unique device identification and searching an index for an enduring unique device identification matching the recorded unique device identification. Applicants' independent claim 8 includes the limitation, an input record having a recorded unique device identification; a record reader configured to read the recorded unique device identification; an index having at least one enduring record, each enduring record having an enduring unique device identification; and an inspector configured to search the index for one of the enduring unique device identifications matching the recorded unique device

identification. Since McCurdy does not disclose a unique device identification and McCurdy does not disclose any identification in an input record, McCurdy does not disclose any of these limitations.

In view of Applicants' arguments with respect to independent claims 1, 8, and 15 being allowable, Applicants respectfully submit that the remaining dependent claims are also allowable because they contain all of the limitations of their respective independent claims and further add structural and functional limitations.

The foregoing arguments are believed to be a complete response to the most recent Examiner's Action.

No new matter has been added.

It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the prior art cited, alone or in combination, to produce what Applicants claim.

It is further submitted that the application defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,
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By



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